
Regular Session, Legislature of 1892.

ACT No. 13,

CREATING

Lafourche Basin Levee District,

AND

ACTS NOS. 100, 5, 98, 92 AND 16,

BEING LAWS OF THE STATE OF LOUISIANA.

REFERRING TO LEVEES.

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Genl. - La. R.

No. 13.] AN ACT.

To repeal all that portion of Act 33 of 1879 creating the Third Levee District, and to create a new district to be known and styled "The Lafourche Basin Levee District," to define the limits of said district and specify the property subject to taxation, local assessment, and contribution; to provide for appointment of commissioners, the qualifications, mode of removals and filling vacancies, salaries of commissioners and officers, to constitute said commissioners as a levee board, styled "The Board of Commissioners for the Lafourche Basin Levee District;" to make the said board a body politic, invested with corporate powers and having a corporate seal; to fix the mode, time and place of meeting; to designate a quorum for the transaction of business; to provide for the organization and government of said board; to define its duties and powers, and to provide certain prohibitions; to regulate legal proceedings by and against said board, and to fix its domicile; to require a record of its proceedings to be kept and published; to provide a mode of certifying to copies of said records, and to establish their admissibility and weight as evidence; to require said board to provide rules and regulations for the construction and maintenance of levees, and to establish a comprehensive levee system within said district; to prescribe the duties of the State engineers in relation to said board; to provide a revenue for levee purposes; to authorize the levy of a forced contribution for special assessment on cotton, sugar, rice, syrup, molasses and esculents produced upon the lands subject to taxation under the provisions of this act; to require the levy of a ten mill tax on all property subject to taxation, and prescribe the duties of assessors, tax collectors, Auditor and State Treasurer in reference thereto; to authorize the board, under certain circumstances, to levy a special assessment or contribution on lands and railroads in said district and providing for its collection; to grant certain lands for levee purposes and prescribe the duty of the Auditor in relation thereto; to exempt said lands from taxation until sold by the board, to authorize the board to mortgage and sell said lands and apply the proceeds to levee purposes; to authorize the board to issue and negotiate its bonds; to provide the mode of issuing, securing and paying same, and for enforcing payment in case of default; to authorize the board

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to buy, to sell, to make contracts for building, repairing and maintaining levees, and to pay for same in bonds or otherwise; to fix the proportion of the general engineer fund to be allotted to said district and prescribe the duty of the Board of Engineers in reference thereto; to provide for the care and police of the levees, and to authorize the board to appoint inspectors and watchmen and in certain cases to call out road hands to work on levees; to provide compensation therefor; to provide penalties for neglect of hands to serve; to provide the mode of depositing, keeping and disbursing of all funds of the board; to specify by whom and in what manner warrants shall be drawn against the said funds; to define misappropriations of funds and property of the board by president, commissioner or officer, and provide a penalty therefor; to put this Act in force and repeal all laws in conflict herewith.

SECTION 1. Be it enacted by the General Assembly of the State of Louisiana, That that portion of Act 33 of 1879, creating the Third Levee District, be repealed, and in lieu thereof it be enacted as follows: That all the parishes and parts of parishes, except the parish of Orleans, lying in the district between the Bayou Lafourche, the Mississippi river and the Gulf of Mexico, heretofore known as the Third Levee District, and comprising a portion of the following parishes, viz: Ascension, St. James, St. John, St. Charles, Jefferson, Plaquemines, to Socola's Canal; Assumption and Lafourche, as far down as lower limits of Harang Canal, on Bayou Lafourche, shall be embraced in the limits of a levee district to be known and styled "The Lafourche Basin Levee District," and all lands and other property of every description whatsoever upon said lands shall be subject to taxation, local assessment and forced contribution for the purpose of raising funds to



construct and maintain levees in said district, and protect the lands thereof from overflow.

SEC. 2. Be it further enacted, etc., That the Governor shall appoint from among the qualified voters of said district nine persons to serve as levee commissioners for said district, one from each parish or part of parish, in the district, and one in the district at large on the recommendation of the railroads of said district; said commissioners shall hold their office for the term of four years, and until their successors are appointed and qualified. Said commissioners shall constitute a board styled Board of Commissioners for the Lafourche Basin Levee District, and they shall have supervision of the location, erection, repairs and maintenance of levees in said district.

SEC. 3. Be it further enacted, etc., That said commissioners shall convene and hold their first meeting at Donaldsonville on the fourth day of August, 1892; a majority of said commissioners shall constitute a quorum to do business; they shall organize by electing one of their number President, and they shall appoint a Secretary and fix his salary; they shall designate the time and select the place for holding their regular sessions, and may be convened at any time upon call of their President, or upon call of two of the Commissioners. In case of death or resignation of the President, the Secretary shall call the board together to fill the vacancy; in case of the absence, inabil-

ity or failure to act of the President, the board shall appoint one of their number chairman, who shall perform all the duties of the President; in case of neglect of duty by any Commissioner or of his failure without good cause to attend regular meetings for three times successively, it shall be the duty of the Governor, on request of the board, to remove such commissioner and appoint his successor. The commissioners shall receive a salary of five dollars a day each during the period they are in actual attendance upon the board, and their actual traveling expenses, to be paid out of the funds of the levee district on the warrant of the president, attested by the secretary. and a like salary shall be paid for each day the president and other commissioners shall serve in supervising the location, construction and repairs of levees, as may be provided by said board.

SEC. 4. Be it further enacted, etc., That said board shall adopt by-laws for their own government and for the government of their employes; they shall adopt rules or regulations for a comprehensive levee system; they shall keep a record of their proceedings which shall be published after each meeting in a journal to be selected by them. It shall be the duty of the board at each regular session to examine all accounts or operations of the board and determine what work shall be undertaken; provided, that all work shall be advertised to be let out by means of sealed pro-

posals to the lowest responsible bidder, reserving to the board authority to reject all bids. That in case of emergency, or when it is evidently to the best advantage of said district, then the board shall have authority to make contracts for the buildings and repair of levees without advertisement and sealed proposals. They shall use all means at their command to strengthen, repair or construct any portion of the levees that may demand attention; they shall appoint inspectors, with the authority to employ guards on the levees during the period of high water; and generally the board shall do all things necessary to attain the objects contemplated by this act.

SEC. 5. Be it further enacted, etc., That it shall be the duty of the Board of State Engineers to designate one of their members to attend each meeting of the Levee Board, and to report to and advise with them as to the location, construction and repairs of all levees of the district, that the State Board of Engineers shall locate all levees, furnish estimates and specifications, and perform all engineering work required of them by the Levee Board.

SEC. 6. Be it further enacted, etc. That the Board shall be invested with the control of all public levees in the district, with authority to require the State Engineers to lay off, furnish estimates, and perform all engineering work necessary to the location, construction and repairs of

levees, reserving, however, the right to the parishes in which the levees are located; also, to provide funds and to construct and repair levees and exercise the powers now confided to them by law.

SEC. 7. Be it further enacted, etc., That said Board of Commissioners shall, in addition to the powers herein conferred, be constituted a body politic or a political corporation, invested with the powers inherent in said corporations; they shall have authority to sue and be sued under the style of Board of Commissioners for the Lafourche Basin Levee District, and all process against said corporation shall be served on the president or secretary, and all suits in behalf of the board shall be brought by the president. The board shall at its first regular meeting elect a domicile for the purpose of being sued and keeping its office and archives, and service of process shall be made upon the president or upon the secretary of the board in person. Said board shall have authority to buy and sell property, to make and execute all contracts, and do and perform all things necessary to carry out the objects of this act subject to the limitations and duties herein provided. They shall have a corporate seal, and copies of all the regulations and copies of proceedings of said board, certified to by their secretary, under their co-operative seal, shall be received in all courts as prima facie evidence of the acts and proceedings

of said board. All funds of said board shall be deposited with the State Treasurer to the credit of said district, and all warrants drawn thereon by the president, attested to by secretary and seal of said board, shall specify the indebtedness; said warrants are intended to liquidate, in part or in whole, and said funds shall not be drawn from the Treasurer except on the warrants of the State Auditor of Public Accounts.

SEC. 8. Be it further enacted, etc., That for the purpose of providing a revenue to carry out the objects contemplated by this act, the Board of Commissioners may levy annually on all property in said district subject to taxation for levee purposes a district levy tax of ten mills on the dollar, of its assessed valuation, and it shall be the duty of the assessors to extend said tax on the tax roll, and in parishes which are not wholly comprised in the district, the assessor shall make, without additional compensation, separate rolls for that part of the parish included in the district, and the tax collectors of the several parishes shall collect said district levee tax in the same manner that State taxes are collected, and shall settle therefor with the Auditor and State Treasurer; and said funds shall be kept in a separate account to the credit of the Lafourche Basin Levee District; and the same shall be paid out on the warrant of the Auditor, as hereinbefore provided.

SEC. 9. Be it further enacted, etc., That said

Board of Commissioners shall have authority to levy annually a local assessment or forced contribution of two and a half cents per acre on all lands within said district, and one hundred dollars per mile on all standard gauge railroad lines within said district, which shall be placed upon the assessment rolls of the respective parishes and parts of parishes of said district, and shall be collected in the same manner and paid into the State Treasury as hereinbefore provided for the district levee tax of ten mills; and said funds shall be put by the Treasurer to the credit of said Lafourche Basin Levee District, and shall be paid out as hereinabove provided; and provided, that said assessment or forced contribution shall not be levied on lands not alluvial. That nothing in this act contained shall deprive this district of its share of the General Engineers' Fund, and that all taxes hereafter collected upon the rolls of the Third Levee District as now existing, shall be transferred to the credit of the Lafourche Basin Levee District and that all outstanding warrants against the Third Levee District Funds shall be paid from the funds of the Lafourche Basin Levee District.

SEC. 10. Be it further enacted, etc., That in case said board shall deem the funds heretofore provided for in this act inadequate to locate, construct and repair levees so as to prevent disastrous floods, the said board shall have authority

to levy a special assessment or forced contribution, not to exceed twenty-five cents per bale of cotton, ten cents per barrel of sugar, thirty-five cents per hogshead of sugar, seven and one-half cents per barrel of syrup, five cents per barrel of molasses, two and one-half cents per sack of rough rice, one-half cent on each bushel of essencents, and two and one-half cents per barrel of oranges produced in said district upon land subject to taxation under the provisions of this act, and same shall be collected by the sheriff of each parish in part or wholly within this district in such manner and under such regulations as the board may direct, but in all cases it shall be collected before the produce is removed from the respective parishes. The sheriff is hereby empowered, and it is made his duty, to notify common carriers and persons engaged in transporting goods and passengers for hire, not to receive or transport any produce on which the produce tax herein provided for shall not have been paid. No railroad, steamboat or other common carrier shall receive any product subject to taxation, under this act without entering the tax on the bill of lading and collecting the same, and it shall be their duty to remit the amount of tax so collect, to the tax collector of the parish from which the produce was shipped. Any common carrier violating the provisions of this act, shall pay double the amount of tax on the produce received and shipped with-

out the tax thereon being paid by the shipper, or which shall not have been entered and collected on the bill of lading, to be recovered before any court of competent jurisdiction.

SEC. 11. Be it further enacted, etc., That in order to provide additional means to carry out the purposes of this act, and to furnish resources to enable said board to assist in developing, establishing and completing a levee system in said district, all lands now belonging or that may hereafter belong to the State of Louisiana and embraced within the limits of the levee district as herein constituted shall be and the same are hereby given, granted, bargained, donated, conveyed and delivered unto said Board of Levee Commissioners of the Lafourche Basin Levee District, whether said lands or parts of lands were originally granted by the Congress of the United States to this State, or whether said lands have been or may hereafter be forfeited to or bought in by or for or sold to the State at tax sales for non-payment of taxes, where the State has or may hereafter become the owner of lands by or through tax sales, conveyances whereof shall only be made to said Board of Levee Commissioners after the period of redemption shall have expired; provided, however, that any and all former owners of lands which have been forfeited to purchasers by or sold to the State for non-payment of taxes, may at any time within the six months next ensuing after the

date of the passage of this act redeem said lands, or any of them, upon paying to the Treasurer of the State all taxes, interests, costs and penalties due thereon down to the date of such redemption shall be deemed and be taken to be sales of lands by the State, and all and every sum or sums of money so received shall be placed to the credit of the Lafourche Basin Levee District. After the expiration of said six months it shall be the duty of the Auditor and the Register of the State Land Office on behalf of and in the name of the State, to convey to the said Board of Levee Commissioners, by the proper instruments of conveyance, the lands hereby granted or intended to be granted and conveyed to said board, whenever, from time to time, said Auditor and said Register of the said Land Office, or either of them, shall be requested to do so by said Board of Levee Commissioners or by the president thereof; and thereafter said president of said board shall cause said conveyances to be properly recorded in the recorder's office of the respective parishes wherein said lands are or may be located and when said conveyances are so recorded, title to said land with the possession thereof shall from thereafter vest absolutely in said Board of Levee Commissioners, its successors or grantees, said lands shall be exempted from taxation after being conveyed to and while they remain in the possession or under the control of said board. Said Board of Levee Commissioners shall

have the power and authority to sell, mortgage, pledge or otherwise dispose of said lands in such manner and at such times and for such prices as to said board shall seem proper, but all proceeds derived therefrom shall be deposited in the State Treasury to the credit of the Lafourche Basin Levee District, and shall be drawn out only upon warrants of the president of said board, properly attested, as provided in this act; provided, that the tax provided shall not be levied on produce raised on lands not alluvial.

SEC. 12. Be it further enacted, etc., That for the purpose of raising further additional funds for said district, said Board of Commissioners are hereby authorized and empowered to issue bonds to the amount of five hundred thousand dollars, in such sums and denominations as said board may prescribe, not less than one hundred dollars each; said bonds shall be drawn payable to bearer; shall be signed by the president of the board officially, and attested by the signature of the secretary and seal of said Board of Commissioners, and shall each have printed on the back the following: "This bond, principal and interest secured by taxation and by the sale of public and State lands," all of said bonds to become due in twenty years, and payable in ten years at the option of the Board of Levee Commissioners, and they shall all bear interest at a rate not to exceed six (6) per cent from the date of their issue; said interest to

be evidenced by coupons attached to said bonds, payable semi-annually at the office of the State Treasurer or the Fiscal Agent of the State in the city of New Orleans out of the funds hereinafter provided.

SEC. 13. Be it further enacted, etc., That said board shall have the right to negotiate bonds at a rate of discount including commissions not to exceed ten (10) per centum, and payment for all work done on levees, erected for the protection of said levee district on terms and amounts to be agreed upon with the contractor, shall be made in cash.

SEC. 14. Be it further enacted, etc., That the interest on said bonds shall be paid out of the funds arising from the collection of said levee tax and the Treasurer of the State shall be and he is hereby authorized to pay any and all coupons that may be due when presented by any bona fide owner or holder of any of said bonds, and a sufficient amount of said taxes shall always remain on hand to pay one year's interest on said bonds and shall not be diverted to any other purpose by any authority whatsoever.

SEC. 15. Be it further enacted, etc., That after ten years from the execution of said bonds, any excess of said ten mills district tax, after paying accruing interest on said bonds, shall constitute a sinking fund and shall not be drawn out of the State Treasury for any other purpose than to

pay the principal of said bonds; and if said amount shall be less than ten per cent of the amount of bonds executed, the said board shall from the other revenue hereinbefore provided make up the deficiency by preference over all other claims, so that said sinking fund shall amount annually to not less than ten per cent of the amount of bonds executed and the same shall be paid annually in the discharge of the principal of said bonds as hereinbefore provided.

SEC. 16. Be it further enacted, etc., That it shall be the duty of said board and all officers charged with the collection and disbursement of said ten mills tax, to collect said tax and to disburse the same as hereinbefore provided; and they shall collect and supply, pursuant to the provisions of this act, such revenues as may be necessary to pay in full the principal and interest as hereinbefore provided, and the authority herein granted to said board to provide for the payment of the principal and interest of said bonds shall be irrevocable, and shall continue in force until said bonds shall all have been paid, and this provision shall be declared a contract in favor of the holder or holders of said bonds.

SEC. 17. Be it further enacted, etc., That should any officer charged with the duty of collecting or disbursing revenues under the provisions of this act, fail, neglect or refuse to perform the duties devolving on him under this

act, than said board or any holders of bonds issued under this act may apply and obtain from any judge of the court of competent jurisdiction a mandamus in order to compel such delinquent officer to proceed to discharge his duties pursuant to the provisions of this act.

SEC. 18. Be it further enacted, etc., That any member, levee inspector, or other officer of the board, in case of threatened danger or urgent necessity, may order out all or as many as may be necessary of the persons liable for road duty under existing laws and cause them to work on the levees. For such emergency service, all persons serving thereon shall be paid by the board at such rates as may be fixed by the board. Any person subject to road duty, who being duly notified, shall fail to attend and render immediate service shall be guilty of a misdemeanor, and on conviction thereof, before any justice of the peace of the parish, shall be fined not less than five nor more than twenty dollars.

SEC. 19. Be it further enacted, etc., That the bonds for five hundred thousand dollars authorized by section 12 of this act to be issued, shall be deposited with the State Treasurer as soon as the same shall have been printed and before the same shall have been signed by the president of said board officially, and attested by the signature of the secretary and seal of said board of commissioners as provided by section 12 of this

act, and said Treasurer shall receipt for same; and said bonds shall be registered at the office of the Auditor, who shall keep a record of same, and such bonds shall not be withdrawn from the Treasury of the State except upon the warrants of the Auditor of Public Account issued upon the order of the President of the Board of Commissioners, countersigned by the secretary, and in pursuance of a resolution of said board adopted at a regular meeting; and the Auditor and Treasurer of the State shall keep a record of said bonds, subject to the inspection of any person interested; and bonds thus withdrawn from the treasury shall be conclusively presumed to have been emitted, issued and negotiated by said board in compliance with all conditions of law, and it shall be lawful at any time after the passage of this act for any and all persons and corporations to invest trust funds in the said bonds.

SEC. 20. Be further enacted. etc., That all laws or parts of laws in conflict with this act are hereby repealed.

G. W. BOLTON,
Speaker of the House of Representatives.

CHARLES PARLANGE,
Lieutenant-Governor and President of the Senate.

Approved June 20, 1892.

MURPHY J. FOSTER,
Governor of the State of Louisiana.

A true copy from the original :

T. S. ADAMS,
Secretary of State.

No. 100] AN ACT

To amend and re-enact section 1 of Act No. 13, regular session of 1892, being an Act to repeal all that portion of Act 33 of 1879, creating the Third Levee District, and and to create a new district to be known and styled as "The Lafourche Basin Levee District;" to define the limits of said district and specify the property subject to taxation, local assessment and contribution; to provide for appointment of commissioners, the qualifications, mode of removals and filling vacancies, and salaries of commissioners and officers; to constitute said commissioners as a levee board styled "The Board of Commissioners for the Lafourche Basin Levee District;" to make the said board a body politic, investen with corporate powers and having a corporate seal; to fix the mode, time, and place of meetings; to designate a quorum for the transaction of business; to provide for the organization and government of said board; to define its duties and powers and to provide certain prohibitions; to regulate legal proceedings by and against said board, and to fix its domicile; to require a record of its proceedings to be kept and published; to provide a mode of certifying to the copies of said records and to establish their admissibility and weight as evidence; to require said board to provide rules and regulations for the construction and maintenance of levees, and to establish a comprehensive levee system within said district; to prescribe the duties of the State Engineers in relation to said board; to provide a revenue for levee purposes; to authorize the levy of a forced contribution or special assessment on cotton, sugar, rice, syrup, molasses and esculents produced upon the lands subject to taxation under the provisions of this act; to require the levy of a ten mill tax on all property subject to taxation, and prescribe the duty of assessors, tax collectors, Auditor and State Treasurer, in reference thereto; to authorize the board under certain circumstances to levy a special assessment or contribution on lands and railroads in said district, and providing for its collection; to grant certain lands for levee purposes and prescribe the duty of the Auditor in relation thereto; to exempt said lands from taxation until sold by the board; to authorize the board to mortgage and sell said lands and apply the proceeds to levee purposes; to authorize the board to issue and negotiate its

bonds ; to provide the mode of issuing, securing, and paying same, and for enforcing payment in case of default ; to authorize the board to buy, to sell, to make contracts for building, repairing and maintaining levees and to pay for same in bonds or otherwise ; to fix the proportion of General Engineer Fund to be allotted to said district, and prescribe the duty of the Board of Engineers in reference thereto ; to provide for the care and police of the levees, and authorize the board to appoint inspectors and watchmen, and in certain cases to call out road hands to work on levees ; to provide compensation therefor ; to provide penalties for neglect of hands to serve ; to provide the mode of depositing, keeping and disbursing all funds of the board ; to specify by whom and in what manner warrants shall be drawn against the said funds ; to define misappropriations of funds and property of the board by president, commissioner or officer, and provide a penalty therefor ; to put this act in force and repeal all laws in conflict herewith.

SECTION 1. Be it enacted by the General Assembly of the State of Louisiana, That section 1 of Act No. 13, regular session of 1892, be amended and re-enacted so as to read as follows : Be it enacted by the General Assembly of the State of Louisiana, That that portion of Act 33 of 1879, creating the Third Levee District be repealed and in lieu thereof it be enacted as follows : That all the parishes and parts of parishes except the parish of Orleans, lying in the district between the Bayou Lafourche, the Mississippi River and the Gulf of Mexico, heretofore known as the Third Levee District, and comprising a portion of the following parishes, viz. : Ascension, St. James, St. John, St. Charles, Jefferson, Plaquemines, to the lower line of Riceland plantation ; Assumption and Lafourche, as far down as lower limits of Harang Canal on Bayou Lafourche,

shall be embraced in the limits of a levee district to be known and styled "The Lafourche Basin Levee District;" and all lands and other property of every description whatsoever upon said lands shall be subject to taxation, local assessment and forced contribution for the purpose of raising funds to construct and maintain levees in said district, and protect the lands thereof from overflow.

G. W. BOLTON,

Speaker of the House of Representatives.

CHARLES PARLANGE,

Lieut.-Governor and President of the Senate.

Approved July 7th, 1892:

MURPHY J. FOSTER,

Governor of the State of Louisiana.

A true copy from the original:

T. S. ADAMS,

Secretary of State.

To prohibit placing rice flumes, dahls, pipes, or other foreign substances in the public levees of the State for purpose of irrigation or otherwise, to require the removal by police juries of all existing rice flumes, dahls, pipes or other conduits, and to provide a penalty for violation of this act.

SECTION. 1. Be it enacted by the General Assembly of the State of Louisiana: That no rice flumes, dahls, pipes or other foreign substance for purposes of irrigation or otherwise shall be allowed to be placed in the public levees of this State after the first day of October, 1892, and that the police juries of the several parishes of the State, are hereby required to see that all rice flumes, dahls, pipes or other conduits now existing in the public levees of the State are taken out and removed therefrom before the first day of January, 1893.

SEC. 2. Be it further enacted, etc., That any person who shall place in the public levees of the State, any rice flume, dahl, pipe or other conduit, after said date, or who shall fail to remove from the levees any existing rice flume, dahl, pipe or other conduit after said date after notification to remove same by the police jury of his parish shall be deemed guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be fined not exceeding five hundred dollars (\$500), or imprisoned not exceed-

ing sixty (60) days or both, at the discretion of the court, and for each conviction under this act the district attorney prosecuting shall receive a fee of ten dollars (\$10); provided, that the provisions of this act shall not be applicable to levees on the Mississippi river not embraced within the limits of the Fifth Louisiana, the Atchafalya, the Lafourche, the Pontchartrain, the Lake Borgne, and the Orleans Levee Districts; and provided further, that the provisions of this act shall not be applicable to the levees within the Lake Borgne Levee District below the lower line of the Monsecours plantation.

SEC. 3. Be it further enacted, etc., That all laws or parts of laws in conflict with this act are hereby repealed.

GEORGE W. BOLTON,
Speaker of the House of Representatives.

H. R. LOTT,
President pro tem of the Senate.

Approved June 14th, 1892.

MURPHY J. FOSTER,
Governor of the State of Louisiana.

A true copy from the original:

T. S. ADAMS,
Secretary of State.



To provide against the unsafe flooding or irrigation of lands upon the Mississippi River; to regulate the conformation, construction and distance of deposit of all syphons used in conveying water over the public levees for irrigation upon such lands; to prevent the cutting of such levees or the alteration of the same for the insertion of syphons; to compel the removal of all existing syphons otherwise than those provided for in this act; and to provide penalties for the violations of this act.

SECTION. 1. Be it enacted by the General Assembly of the State of Louisiana, That it shall be unlawful to irrigate, flood or in any manner cover with water for purposes of cultivation or otherwise any land situated upon the Mississippi River within a distance of five hundred feet from the base of any public levee or levees located thereupon.

SEC. 2.. Be it further enacted, etc., That all syphons placed and used for purposes of irrigations or otherwise over public levees upon lands bordering on the Mississippi River in this State, shall be so constructed as to conform to the shape of the pre-existing levee, and shall be made of such length and be laid in such manner as to deposit their water at a distance of not less than twenty-seven feet from the base of the public levee so crossed. No public levee shall be cut or otherwise altered for the purpose of admitting the

passage or of conforming to the shape of any syphon crossing the same.

SEC. 3. Be it further enacted, etc., That it shall be the duty of the respective Police Juries, Commissioners or Boards of Levee Districts or other authorities charged with the care and preservation of the public levees throughout the State to compel the removal of all existing syphons constructed or laid otherwise than in accordance with the provisions of this act, and the restoration of the levees, wherever cut or altered for the insertion or passage of such syphons, to the shape and condition prior to such insertion or passage.

SEC. 4. Be it further enacted, etc., That any person who shall violate the provisions of section 1 or section 2 of this act, shall be subject to a penalty of not more than thirty days' imprisonment, or a fine of one hundred dollars (100) or both at the discretion of the court; and any person who shall violate the provisions of section 3 hereof by refusing to remove any illegally laid or shaped syphon, as specified in this act, or to allow the removal of the same by the direction of the police jury or other competent authority, shall be subject to a fine of not over five hundred dollars (\$500) and imprisonment for not more than six months, or both at the discretion of the court.

Sec. 5. Be it further enacted, etc., That this

act shall go into effect from and after its passage, and that all laws or parts of laws in conflict herewith be and the same are hereby repealed.

G. W. BOLTON,
Speaker of the House of Representatives.

CHARLES PARLANGE,
Lieutenant-Governor and President of the
Senate.

Approved July 7th, 1892.

MURPHY J. FOSTER,
Governor of the State of Louisiana.

A true copy from the original :

T. S. ADAMS,
Secretary of State.

Making the placing upon the levees of lumber, building material, fuel, fences, buildings, constructions, or anything which obstructs the levees or free passage thereon or safety thereof, or the tying of logs to the levees, punishable by fine or imprisonment, or both, at the discretion of the court.

SECTION. 1. Be it enacted by the General Assembly of the State of Louisiana. That whoever shall place, or cause to be placed, upon the levees fronting on the Mississippi river or upon any levee or levees fronting any lake or canal or waterway subject to the control and surveillance of the district board of levee commissioners or police juries or municipal corporations, any lumber, building material, fuel, fences, buildings, constructions, brick, sand, clay, or any matter of any kind or character which obstructs the levee, or interferes with the safety thereof, or is an obstacle to the construction or repair thereof, shall upon conviction before any court of competent jurisdiction, be imprisoned for a term not exceeding six (6) months, and fined not exceeding one hundred dollars (\$100.00), or both at the discretion of the court.

SEC. 2. Be it further enacted, That if after forty eight (48) hours' notice by any district commissioner or commissioners or levee inspector, and in the parish of Orleans by the commissioner of public works, said aforesaid obstruction, etc., is

not removed, the same may be removed at the expense of the owner, agent or person responsible therefor, and held until such expense is paid.

SEC. 3. Be it further enacted, That no logs or timber can be tied or fastened to the levees on the Mississippi River, or other waterways during high water or such periods as said river or waterways are considered dangerous, and any person or persons found guilty thereof shall be subject to aforesaid fine and imprisonment.

SEC. 4. Be it further enacted, etc., That this act shall in no manner be considered applicable to movable property placed upon the wharves and landings in the city of New Orleans.

SEC. 5. Be it further enacted, etc., That this law shall take effect from and after the date of its promulgation.

G. W. BOLTON,
Speaker of the House of Representatives.

CHARLES PARLANGE,
Lieut.-Gov. and President of the Senate.

Approved June 23, 1892.

MURPHY J. FOSTER,
Governor of the State of Louisiana.

A true copy from the original.

T. S. ADAMS,
Secretary of State.

No. 92]

House Concurrent Resolution No. 13.

Resolution requesting members of Congress and Senators from Louisiana to urge the engineers having charge of the dredging of Bayou Lafourche to commence operation at the mouth of said bayou.

Whereas, the United States Congress has made an appropriation for the purpose and object of dredging Bayou Lafourche ; and

Whereas, Said Bayou Lafourche is one of the most important streams of Louisiana, passing through a country of unsurpassed fertility, but unfortunately subject to yearly inundation by reason that the mouth of said bayou is obstructed ; and

Whereas, Said obstruction not only prevent a free flow of the water, but also causing sand bars to be formed in the bed of said bayou, increasing yearly the danger of overflow in proportion of these sand bars or obstructions becoming larger.

Be it therefore resolved by the General Assembly of the State of Louisiana, That the members of Congress and Senators from the State of Louisiana, are respectfully requested to urge the engineer having charge of the dredging of said Bayou Lafourche to use the funds at his command in commencing operation at the mouth of said bayou, or where it empties in the Gulf of Mexico, instead

of at its head, or where it receives water from the Mississippi River.

Be it further resolved, That copies of the resolution be furnished to our Senators and members of Congress.

G. W. BOLTON,
Speaker of the House of Representatives.

H. R. LOTT,
President pro tem of the Senate.

Approved July 7th, 1892:

MURPHY J. FOSTER,
Governor of Louisiana.

A true copy from the original:

T. S. ADAMS,
Secretary of State.